

#10 EXT(2)/RCE
SEP 18-11-93
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S&H Form: PTO/SB/30 (2/01)

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR
EXTENSION OF TIME FEE)

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SEP 25 2003

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA)

Technology Center 2600

| | | | |
|---|--|-------------------------------|----------------|
| To: Commissioner for Patents Box RCE PO Box 1450 Alexandria, VA 22313-1450 | | Attorney Docket No.:1344.1033 | |
| First Named Inventor | Akihisa KAWAGUCHI et al. | | |
| Application No. | 09/419,872 | Group Art Unit | 2633 |
| Filing Date | October 19, 1999 | Examiner | Reza Sedighian |
| CPA Filing Date | | Confirmation No | 1976 |
| Title of Invention | METHOD OF CONTROLLING OPTICAL WAVELENGTH DIVISION MULTIPLEXING TRANSMISSION APPARATUS | | |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.

Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)



- a. ☒ Previously submitted
 - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 18, 2003
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. ☐ Other
- b. ☐ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

09/24/2003 MBIZUNES 00000040 09419872
01 FC:1801 750.00 OP
09/24/2003 MBIZUNES 00000040 09419872
02 FC:1252 300.00 UP

2.

Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

| | | | |
|---|---|------------------------|----------------|
| | BASIC FEE | \$ | 750.00 |
| Since an Official Action set an <u>original</u> due date of <u>July 18, 2003</u> , petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$110); 2 months (\$410); 3 months (\$930); 4 months (\$1,450); 5 months (\$1,970)); (A one-month extension was requested and paid for with the Amendment filed August 18, 2003.) | | | 300.00 |
| Suspension Fee (\$130.00) | | | 0.00 |
| Total of above Calculations = | | \$ | 1050.00 |
| Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). | | | |
| TOTAL FEES DUE = | | \$ | 1050.00 |
| 4. <input type="checkbox"/> Small entity status: a. <input type="checkbox"/> Verified Statement Claiming Small Entity Status. b. <input type="checkbox"/> A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. <input type="checkbox"/> is no longer claimed. 5. <input type="checkbox"/> Other: | | | |
| 6. METHOD OF PAYMENT | | Technology Center 2600 | |
| <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1050.00</u> is enclosed. <input type="checkbox"/> Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) | | | |
| 7. GENERAL AUTHORIZATION | | | |
| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. | | | |
| 8. CORRESPONDENCE ADDRESS | | | |
| STAAS & HALSEY LLP  21171 PATENT TRADEMARK OFFICE | | | |
| 9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED | | | |
| NAME | John C. Garvey | REGISTRATION NO. | 28,607 |
| SIGNATURE |  | DATE | 9/18/03 |